

## **Exhibit K**

Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

In re Application of  
Mechoulam et al.  
Application No.: 10/597,166  
PCT No.: PCT/IL2005/000053  
Int. Filing Date: 14 January 2005  
Priority Date: 15 January 2004  
Attorney Docket No.: 7056-X09-004  
For: Therapeutic Use Of Quinonoid  
Derivatives Of Cannabinoids

(a) *Unavoidable.* If the delay in reply by applicant or patent owner was unavoidable, a petition may be filed pursuant to this paragraph to revive an

abandoned application, a reexamination proceeding terminated under §§ 1.550(d) or 1.957(b) or (c), or a lapsed patent. A grantable petition pursuant to this paragraph must be accompanied by:

- (1) The reply required to the outstanding Office action or notice, unless previously filed;
- (2) The petition fee as set forth in § 1.17(l);
- (3) A showing to the satisfaction of the Director that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to this paragraph was unavoidable; and
- (4) Any terminal disclaimer (and fee as set forth in § 1.20(d)) required pursuant to paragraph (d) of this section.

With regard to requirement (1), petitioner has filed the required reply in the form of an acceptable declaration.

Concerning requirement (2), petitioner has paid the petition fee pertaining to a petition under 37 CFR 1.137(b), as opposed to 37 CFR 1.137(a). The excess payment will be refunded.

With respect to requirement (3), counsel has not provided an adequate showing that the entire delay in filing the required reply was "unavoidable" within the meaning of 37 CFR 1.137(a). The petition form indicates that such showing "is enclosed," but no evidence or remarks accompanied the petition form.

Regarding requirement (4), no terminal disclaimer is required.

### DECISION

The petition under 37 CFR 1.137(a) is **DISMISSED**, without prejudice.

If reconsideration on the merits of this matter is desired, a proper response must be filed within **TWO (2) MONTHS** from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are available.

Any further correspondence with respect to this matter may be filed electronically via EFS-Web selecting the document description "Petition for review and processing by the PCT Legal Office" or by mail addressed to Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.

/George Dombroske/  
George Dombroske  
PCT Legal Examiner  
Office of PCT Legal Administration  
Tel: (571) 272-3283